

AMENDMENTS TO THE CLAIMS

The following Listing of Claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-12 (cancelled)

Claim 13 (currently amended): A method of producing solid particles comprising the steps of:

providing a load stock comprising:

an excipient that is a solid at 25° C. and 1 atmosphere pressure; and
optionally, a biologically active substance;

contacting the load stock with a supercritical fluid in a pressure vessel to form a melt;

releasing the pressure within the pressure vessel to transform the melt in the pressure vessel into a solid porous mass that is cooled to a temperature below 25° C.; and

milling the solid porous mass to obtain solid particles.

Claim 14 (original): The method according to claim 13 wherein the solid porous mass is milled before the temperature of the solid porous mass is permitted to rise to or above 25° C.

Claim 15 (currently amended): The method according to claim 13 wherein subsequent to the ~~reducing~~ milling step the solid particles have an average particle size of from about 0.1 to about 500 micrometers (µm).

Claim 16 (original): The method according to claim 13 wherein the excipient is a polymer selected from the group consisting of polysaccharides, polyesters, polyethers, polyanhydrides, polyglycolides, polylactic acids, polycaprolactones, polyethylene glycols and polypeptides.

Claim 17 (original): The method according to claim 13 wherein the supercritical fluid is selected from the group consisting of carbon dioxide, water, nitrous oxide, dimethylether, straight chain or branched C₁-C₆-alkanes, alkenes, alcohols, ethane, propane, fluoroform, chlorotrifluoromethane, chlorodifluoromethane, propylene, ammonia and combinations thereof.

Claim 18 (original): The method according to claim 13 wherein the supercritical fluid is carbon dioxide.

Claim 19 (cancelled)